DRY LAW UNCONSTITUTIONAL, SAY COURTS

TO-NIGHT'S WEATHER-Cloudy.



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PRICE TWO CENTS.

NEW YORK, WEDNESDAY, NOVEMBER 12, 1919.

32 PAGES

PRICE TWO CENTS.

HOPE FOR COAL AGREEMENT GROWS

I. W. W. PREPARING FOR NEW CAMPAIGN

WARTIME PROHIBITION ACT UNCONSTITUTIONAL, IS VIEW OF TWO FEDERAL JUDGES

Enforcement of Law Is Enjoined by U. S. Court at Providence, R. I.

SALOONS RESUME SALE.

Roper Announces Plans for **Enforcement** of Prohibition All Over Country.

PROVIDENCE, R. I., Nov. 12.-Judge Brown in the Federal District Court to-day issued a temporary injunction against Harvey A. Baker, United States Attorney, and George F. Chauntley, Collector of Internal Revenue, restraining them from enforcing the provisions of the wartime Prohibition Act.

The injunction was issued upon the petition of the Narragansett Brewing

immediately resumed by Providence The Court, in handing down its de-

"In view of the probability that the act in question will ultimately be held unconstitutional and of the irreparable damage that would result from its immediate enforcement, and as, in view of the evidence afforded by the Presidential proclamations and other circumstances its immediate enforcement is not imperative. I am convinced that the plaintiff's right to a preliminary injunction is clear."

The decree will be entered to-morrow when it will become effective.

The opinion is the first construction of the Volstead (Prohibition Enforcement) Act handed down in any cour in the country. While nominally it restrains the Federal officials in this lurisdiction from enforcing Title 1 of that act against the Narragansett Brewing Company, it virtually states the belief of the court that the entire Wartime Prohibition Act is unconstiutional and cannot be enforced. INCONCEIVABLE IN POINT OF

LOSSES INVOLVED. "The Eighteenth Amendment Vecame a part of the Constitution imof sources of revenue from which funds at that figure. cal change in personal habits.

provision for a period during which day's high There frequently were 5 the loss might be, to some extent, points or more difference between tralla; Warren Grimm, Centralia, and provided for and lessened.

"The amendment provided not only

(Continued on Twentieth Page.)

"FIRMLY OF THE OPINION

Kentucky Jurist So Declares in Case Involving 1,000,000

LAW IS UNCONSTITUTIONAL,"

ASSERTS JUDGE EVANS

Gallons of Whiskey. PEDERAL JUDGE WALTER clared here to-day he is "firmly of the opinion" Wartime

Prohibition is unconstitutional, He indicated a disposition to enjoin Elwood Hamilton, Collector of Internal Revenue for Kentucky, from interfering with the sale of about 1,000,000 gallons of tax-paid whiskey, known as

High Priced Specialties Lead in Drop-Northern Pacific Losses Recalled.

Bank in restricting the supply of into the river. money available for purposes of stock speculation, threw the Stock a panic to-day. Prices melted twty in a manner that dwarfed by comparison the extent of losses registered on any day during the money panic of 1907. The losses recorded during the panic following the for to-day's market.

mediately upon its ratification," the money to lend. Twenty per cent, was ican flags and demanded protection, duced certain confidential records for cinion recites. "It then fixed the bid without any supply of conse- The men, it was said, took the flags which Commissioner Enright and time at which the powers of the States quence forthcoming. The rate was from them. over a subject heretofore always un- then pushed up to 25 per cent, and der their control should cease, at later to 30 per cent. Thus was purely organized. Every 1. W. W. was to which the Government of the United a nominal quotation. Brokers would be listed, it was planned, and ordered States, the Governments of the States cagerly have paid as high as 50 per to leave. As a direct answer to the and municipalities should be deprived cent, had they been able to obtain citizens declaration of war came the

millions had been derived; at which High priced specialties were cials. great industries, employing thousands dumped on the market in a manner of men, should cease, and at which that betokened little regard for what the value of enormous properties for prices they might bring. General Mothe uses for which they were designed tors, which was one of the prime should be finally destroyed; and at favorites of manipulators during the which there should be enforced a radi- recent big bull campaign and which The four had been active in supsold at 396 yesterday, dropped to 283, pressing radical activities in this "It is inconceivable that this a loss of 651-2 points for the day would have been done without the and a drop of 119 points from yester-

for what should be done after Janu- troleum, 23 1-2 points; Kelly-Springary, 1920, but, by the words, after field, 17 points; Pierce-Arrow, 14 3-4 one year,' gave express evidence of points; Studebaker, 14; American Toconsideration and determination of bacco, 15; Atlantic Gulf, 11. Corporathe necessity of affording to the tions that have big bank balances withdrew deposits late in the day and went into the loan business, but this failed to stem the flood of liquidation, TAKE BELL-ANS BEFORE MEALS and closing prices in most instances are how the Good Dissettee makes were about the lowest of the day. were about the lowest of the day.

all the state of

Í. W. W. ROUND-UP FOLLOWS MURDER

Seventeen Arrested in Centralia, Wash., After Lynching of One Red.

TROOPS PATROL CITY.

Citizens Unite to Drive Out Every Radical as Result of Assassinations.

SPOKANE, Wash., Nov. 12 .-Industrial Workers of the World are preparing to launch from their headquarters here a propaganda campaign throughout the Northwest and perhaps through the entire West, in the near future, according to officials of the Department of Justice, who say so far no orders to proceed

against them have been received WASHINGTON, Nov. 12 .- Atterney General Palmer explained to-day the Department of Justice could not act against the I. W. W. campaign under present laws until someovert act had been committed.

CENTRALIA, Wash., Nov. 12 .- National guardsmen are patrolling Cen-

refused to handle it, had disappeared Transit employees. this morning and it was said the

authorities in all parts of the city, asking residents to report any knowledge they may have of the shooting or of any I. W. W. A drive has been launched to clear the I., W. W. from Centralia, it was said, and former service men, who came here in the night from neighboring towns, are to be used in the work.

One woman is in the jail. She con-Northern Pacific corner, nearly 20 ducted a botel in which the I. W. W. Shortly after noon brokers began the paraders started to ransack the

Recently a "protective league" was

cials.

One of the men arrested in the sweeping search for I. W. W.'s foilowing the attack was said to have confessed plans were made months ago to "get" the men who were also.

FIRST RACE—For maiden three-war-olds and up; selling; purse \$1592.28; one mile—xfufter, 113 (Myers) \$4.80, \$1.50, first; Freemantle, 118 (Butwell), \$4.70, \$5.10, second; Little Ed, 112 (Sande), \$4.40, third; time 1.46. Rubber 21, 810, Ballyconnel, La Belfre, Barcoy, xfygnus, Mayor House also ran.

SECOND community.

The dead are: Arthur McElfresh, Centralia; Ben Casagranda, Cen- ran, die of his wounds.

shooting began when the drew abreast of the I. W. W. Hall, according to witnesses, the bul- 6.31 lets going over the heads of the

(Continued on Second Page.)

THE WORLD TRAVEL BUREAU. Arcida, Pulitaer (World) Building, 85-65 Park Row, N. Y. City, Twinghouse Revisions, 4000, one for benging and partons open day and Money orders and insvention, change for

GRAND JURY GETS BROKER BOOKS IN TRACTION INQUIRY

Short Sales of Car Stocks for City Officials.

The first witness heard to-day by McQuaid, an expert accountant, as- tin dish. sisted Assistant District Attorney This morning it was mother's

and for their friends. It was the "mh" You know the way they purpose of the Grand Jury to learn talk. Rapid Transit Company.

George Barnitz, a former member "All of the Bomb Squad under Inspector lowed my wedding ring!" met Tunney and now in the employ of the of the union, Britt Smith, was navy during the war. He is believed Smith's body, which was hanging agencies during the strike of the Infrom a bridge after two undertakers terborough or the Brooklyn Rapid

Gaston B. Means, who was freed death of Mrs. Maud A. King Robin-Handbills were posted by Centrafia son at Concord, M. C., two years ago Burns National Detective Agency as an investigator, but W. J. Burns said to-day that Means had no direct or indirect connection with the agency since it was employed by him as a client at the time of his arrest on the murder charge.

Other witnesses examined were W. A. De Ford, formerly an Assistant years ago, furnish the only parallel hall was located. According to one counsel for the William Randolph District Attorney and more lately version, she with her husband, when Hearst realty interests; Grant Crabtree, a deputy clerk in the office of to find that banks had little or no place, ran out carrying small Amer- the police commissioner, who pro-

(Continued on Second Page.)

PIMLICO RESULTS.

**SECOND RACE—For two-year-olds; selling; purse, \$1,590.29; six furlangs. stater Helene, 100 (Pierce), \$12.50, 15.50, \$3.30, won; Cinderella, 110 (Myers), \$4.80, \$3.30, second; Goldine, 107 (Kummer), \$2.80, third. Time, 115 3-5. Liquid Pire, C. S. Grayson, Shillegha, Anzac, Walk the Plank also ran.

THIRD RACE-The Monkton; steeple THIRD RACE—The Monkton; steeple-chase; for four-year-olds and up; purse \$1,500; three miles.—Varlock, -63 (Crawford). \$4.20, \$2.30, out, first; Ellysian, 142 (Bysh). \$1.10, out, second; Barktie, 159 (Kennedy), out, third; time 6.31. Flare also rang.

31. Flare also range FOURTH RACE—The Rennert handiroll Refri RACE-The Rothert handscap, for three-year-olds and up; purse, \$1,592.29; one mile. Slippory Jim. 108 (Basor), \$3.10; \$2.10, \$4.52.10, won; Bridesman, 126 (Callahan), \$52.30, \$2.10, second; Ballet Duncer 2d, 106 (Collins), \$45.60, third. Time, 143 %4-6. Fort Blias and Bal-last also han.

GOLD RING DIET DISAGREES WITH

Wants to Know if Firm Made Trouble Is Averted When Child Is Inverted and Wedding Circlet Reappears.

Albert Beyer jr., one year old, who FEEL FREE TO ACT NOW. the Extraordinary Grand Jury which resides with Mr. and Mrs. Albert is seeking evidence of an "overshad- Beyer sr., at No. 381 Pearl Street, But Their Real Task in Mediaowing crime" having to do with the Brooklyn, is being brought up the recent strike of the employees of the "old-fashloned" way. When Albert Interborough was a member of the cries, they do something. If he's a firm of Streit & Co., brokers, No. 66 hit cranky in the morning—as, being Braodway. Records having to do with of the male persuasion, he is not untransactions of the firm in the market likely to be mother gives him some were taken to the Grand Jury room | bright object to play with, like papa's Assistant District Attorney W. A. watch, or the alarm clock, or a shiny

Smith in the inquiry as to the mean- wedding ring, and while mother It was understood that Street & Sustant about at father's breakfast Co., who are members of the New little Al sat on a rug island in the York Stock Exchange, have acted as middle of the kitchen floor and brokers for numerous city officials said "Oooh! cogie! doo! dah!" and

whether any persons in this political And then, all of a sudden, the boy group had made short sales of trac- stopped being happy and began to tion stocks during the labor troubles choke. Mrs. Beyer dropped the eggs of the Interborough and Brooklyn and picked him up. The ring was

"Al!" she screamed, "baby's swal

death when an Armistice Day parade Washington Detective Agency, conwas fired on by men said to be mem- trolled by former city detectives, also and started on a Bernie Wefers for establishes a big precedent which goes kus's term under the appointment will bers of the Industrial Workers of the entered the Grand Jury room with a the Adams Street Police Station. The World. Seventeen alleged industrial suitcase full of documents. Barnitz baby cried, Father Beyer yelled and to the heart of the difficulties between Mr. Eikus has been contained by the Station of workers are in jail. The secretary was in the Intelligence Bureau of the 200 boys and girls followed them in miners and operators. Heretofore, the University of the State of New York of the union, Britt Smith, was navy during the war. He is believed preference to marching right on about mine owners in Illinois, Indiana, Onto to Turkey. He is now Chairman of their business to school. Elderly peobody riddled with bullets last night. tivities of various private detective ple joined in the pursuit, some yelling is known in coal parlance as "the pointed last January by Gov. Smith napper."

An angry mob surrounded the po-The action of the Federal Reserve rope had been cut allowing it to drop of charges of responsibility for the begged Lieut. Hughes to call a diwas also before the Grand Jury. Brooklyn Hospital, and then, in kind- for adjustment in their own districts. Means was once employed by the ly tone, suggested, "Maybe the kid SYSTEM RESULTED IN MANY would stop yelling and I could understand you better if you turned him right side up."

clanging. In rushed Dr. Rodgers, willing that all wage scales should ation of the tally sheets in the Third geon came Mrs. Beyer, delayed just at which all operators and miners change in the La Guardia-Moran vote.

got the ring!"

"Where was it?" asked everybody. "Lying on the sidewalk," said Albert jr.'s mother, "it must have dropped out while you were running." Well, I'll be darned!" said the doc-"Good!" said a big cop.

"See," said Albert sr., turning to in a single convention.

GOV. SMITH IS HERE

and Finds Her Suffering From a Severe Cold.

Gov. Alfred E. Smith came from Al Catherine Smith whe is seriously ill at

Her illness is diagnosed by Dr. John Reb as a severe cold. She is sixtyseven years old. "My mother is very ill," he said. "Her

fever now is about 101 to 102. Mrs. Smith felt all right until last Sunday evening, when she got a chili, and since then she has been confined to her bed. She is suffering from a severe attack of brenchitis. Although her fever is tigh ahe is able to speak.

U. S. IS HOPEFUL OF SETTLING ALL BROOKLYN BABY MINING QUESTIONS

Officials at Washington Are Optimistic Over Friday's Conference.

tion Has Only Just Begun.

By David Lawrence. (Special Correspondent of The Eve-ning World.)

WASHINGTON, D. C., Nov. 12 (Copyright, 1919.) - Chances of a settlement of the issues between coal operators and miners once and for all are excellent. Government offiment feels free to turn its whole attention to the merits of the grierances and claims of each side. The general public unfortunately may lose interest simply because the strike has

"Murder!" and others preferring "Kid- central competitive field"—have negotiated a separate agreement with their employees and all the other coal NO CHANGE IN VOTES CAST lice station as Beyer rushed in and miners in other States have been revision of physicians, surgeons and quired to accept the settlement in the FOR LA GUARDIA AND MORAN nurses. Hughes pulled a call for central competitive field as a basis INIQUITIES.

This has resulted in all sorts of iniquities, and while the miners in Outside an ambulance bell was the central district were ready and vassers to-day completed its recapituwith tools chough to open a hundred be settled at a national convention, Assembly District, but there was no a minute—no more—by her back were represented, the owners in the the canvassers that it may be neces-"Ah!" she cried, "Twe got it! Twe such an arrangement might be disad- the vote in the Sixth Aldermanic Discoal in the central district bringing the tally sheets show that ten more ference, it was declared, by the rea lower market price they might be votes were recorded than were registered.
In another district, it s alleged, two the main factor in the ending of the if the whole question were handled more votes than the total registry were shown to have been cash.

In a single convention.

while the Secretary of Labor unques- sealed, Mr. Beckerman says. tionably will make an effort to get the operators of the central district DANIELS ASKS \$53,000,000 TO SEE SICK MOTHER to abandon their old policy of negotiating a separate agreement in that Hurries eFrom Albany to Brooklyn district as a basis for other districts, no time will be lost by the conciliasticking on that point.

the home of her daughter, Mrs. John currently. But even this will be a day recommended to the House Naval f, Glynn, No. 5 Middagh Street, Brook- great step forward, for all the losses Committee temporary increases aggrecontent when the miners—say, in ule would remain in effect until June Kentucky or even in Eastern Pennsylvania - were compelled to wait the Bulto. & Washington Sunday Excursion via outcome of negotiations in the cen-

(Continued on Thirteenth Page.)

BOTH SIDES NOTIFY WILSON THEY ACCEPT U. S. AID IN MINE WAGE SETTLEMENT

"We Will Be There," Says Head of Operators' Committee, Lewis Having Already Agreed - Miners Ready to Go Back, but Await Formal Orders.

WASHINGTON, Nov. 12.-Thomas T. Brewster, Chairman of the Coal Operators' Scale Committee, announced to-day that the mine owners had accepted Secretary Wilson's invitation to meet representatives of the miners here on Friday to negotiate a new wage agreement.

"We will be there," said he.

ABRAM I. ELKUS NAMED COURT OF APPEALS JUDGE

Gov. Smith Appoints Him to Fill Unexpired Term of William H. Cuddeback.

ALBANY, Nov. 12 -- Gov. 8m in to-

Ballot Boxes in Sixth Aldermanic District May Be Opened

by Canvassers.

The New York County Board of Canaforesaid central district felt that sary to open the ballot boxes showing vantageous to them. Their argu- trict where Abraham Beckerman, So- the conference just preceding the ment was that because of inferior claimst, was elected. It is claimed that strike. Better prospects for a skillein the Twenty-sixth Election District ment will be found in the new con-

the Sergeant, "that's why I carried But the Department of Labor has sheets from the Fourth Assembly Dia-him upside down!"

asked all parties to come here, and, outer that the seventeen envelopes containing tally planting the series of the

IN PAY RAISES FOR NAVY MINERS WILL RETURN

WASHINGTON, Nov. 12 .- Urging im tors of the Department of Labor in mediate pay increases as the logical solution of the most difficult problem Rather will they urge them to now facing the navy-that of retaining making of separate agreements con-taining new ores.—Secretary Daniels toin time will be eliminated which gating \$53,000,000 a year for all officers heretofore have caused so much dis- and men. The proposed new pay sched-

WORLD RESTAURANT.

Harry N. Taylor, President of the National Coal Association, also . 0cepted Secretary Wilson's invitation. The reply of John L. Lewis. sent esterday, was made public by the

Secretary, It reads: "Your telegram of even date inviting Scale Committee, centrai competitive field and representatives of all bituminous districts involved in strike to meet with you next Friday at Wasnington, is received. Your message was submitted to our conference new in session in Indianapolis, and I am authorized to say representatives of mine workers will be present on that date."

Mr. Lewis had meanwhile declined an offer by Mr. Brewster to meet the operators' committee here Monday to negotiate "a contract to be in force upon the termination of the contract now in effect."

Spokesmen for the miners said teday this proposition could not be considered for a moment and that the only way to bring peace to the coal fields was through adoption of a pay scale to take effect immediately.

With the calling of the conference, Secretary Wilson resumes his post as mediator in the controversy between the miners and operators which he was forced to abandon two weeks ago by the abrupt adjournment of moval of the strike threat, which was

Both sides have indicated their willinguess to resume negotiations in an endeavor to adopt a pay scale that would send the miners back to their jobs willingly and immediately and keep them there.

WHEN THE ORDERS REACH THEM, SAY THE LEADERS

Strike Will Continue Only in Isolated Cases Is View Taken at Headquarters.

INDIANAPOLIS, Nov. 12. - The two outstanding points of interest in the coal mining situation to-day were the reception by the members of the United Mine Workers of America of the order of their chiefs calling off the strike, and the probable outcome of the conference of miners' representatives and operators